

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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7 WEST 21 LI LLC,

Plaintiff,

-v-

CLEMENT MOSERRI,

Defendant.

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21 Civ. 5621 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On July 7, 2021, the Honorable Laura Taylor Swain, Chief United States District Judge, ordered Defendant to file a declaration that complies with the requirements for removal of a state action to federal court, as set forth at 28 U.S.C. § 1446(a). Dkt. 4. Chief Judge Swain further warned that if Defendant failed to comply with her Order by August 7, 2021, without showing good cause to excuse such failure, the case would be remanded to the state court. *Id.* at 3.

On July 19, 2021, this case was assigned to the undersigned. On February 1, 2022, the Court warned Defendant that if he did not file a complaint declaration by March 3, 2022, this case would be remanded without further notice. Dkt. 11. Defendant has not complied with the aforementioned Orders. As such, this case is remanded to the City Court of the City of New York, County of New York, Housing Part.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is respectfully directed to effectuate the remand, to close this case, and to mail this Order to the *pro*

se Defendant.

SO ORDERED.

Dated: March 4, 2022
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

JOHN P. CRONAN
United States District Judge